

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

---

WALTER WILLIAM BLANCK,

Plaintiff,

v.

MILWAUKEE FBI, BUD HALL, GERE MAGNUSON,  
ALBERT NESS, STEVEN BISKUPIC,  
DANIEL S. CRAFT, CHARLES KOCH,  
and DAVID KOCH,

Defendants.

---

OPINION and ORDER

19-cv-176-jdp

Plaintiff Walter William Blanck, appearing pro se, is a prisoner at Green Bay Correctional Institution. Blanck has filed this lawsuit under 42 U.S.C. § 1983, alleging that he was “chemically opened” by the FBI and subjected to a decades-long conspiracy to harm him orchestrated by members of the federal and state governments and people associated with the Republican Party.

Blanck seeks leave to proceed *in forma pauperis*, but he has “struck out” under 28 U.S.C. § 1915(g), which means that he cannot obtain indigent status under § 1915 in any suit he files during the period of his incarceration unless he alleges facts in his complaint from which an inference may be drawn that he is in imminent danger of serious physical injury.

I will dismiss this case for three reasons. First, Blanck seeks leave to proceed *in forma pauperis* in this case, but as stated above, he has “struck out” under 28 U.S.C. § 1915(g). Therefore, he cannot proceed *in forma pauperis* in this case unless I conclude that his allegations show that he is in imminent danger of serious physical injury. Unlike cases he has recently litigated in this court, *see* Nos. 13-cv-193-jdp and 14-cv-135-jdp, Blanck does not allege how

any of the defendants' actions are currently placing him in imminent danger of serious physical harm.

Second, even if Blanck did not seek *in forma pauperis* status, I would dismiss the case because he rehashes the same type of allegations about a decades-long conspiracy against him that the court has already concluded were frivolous. *See Blanck v. Mil. FBI*, Case No. 09-cv-354-bbc, Dkt. 11, at 3 (W.D. Wis. July 1, 2009) (“[Blanck’s] allegations . . . have a paranoid quality that makes it impossible to accept them as true.”).

Third, Blanck contends that he was wrongfully prosecuted for and convicted of crimes in state of Wisconsin proceedings. But challenges to his conviction belong in a petition for writ of habeas corpus. As I explained to Blanck in his most recent habeas case, No. 19-cv-177-jdp, this court cannot consider a habeas petition about his state-court conviction because he has already filed habeas challenges to that conviction. If he wants to challenge his conviction, he needs to ask the United States Court of Appeals for the Seventh Circuit for permission to file another habeas petition about his conviction.

Because Blanck’s complaint is frivolous, I will dismiss the case and assess him another strike under § 1915(g).

ORDER

IT IS ORDERED that:

1. This case is DISMISSED as frivolous.
2. The clerk of court is directed to enter judgment for defendants and close the case.
3. Plaintiff is assessed a strike under 28 U.S.C. § 1915(g).

Entered April 17, 2019.

BY THE COURT:

/s/

---

JAMES D. PETERSON  
District Judge